

118TH CONGRESS
1ST SESSION

H. R. 5295

To modify certain notice requirements, to study certain election requirements,
to clarify certain election requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2023

Ms. WILLIAMS of Georgia (for herself, Mr. NADLER, Ms. BARRAGÁN, Ms. CHU, Ms. DAVIDS of Kansas, Mr. VEASEY, Ms. SEWELL, Mr. SCOTT of Virginia, Ms. GARCIA of Texas, Mr. POCAN, Mr. BOYLE of Pennsylvania, Mr. SWALWELL, Mr. DOGGETT, Mr. GALLEGO, Mr. TORRES of New York, Mr. THOMPSON of Mississippi, Mr. MOULTON, Ms. PORTER, Mr. GOMEZ, Mr. VARGAS, Mr. EVANS, Mr. SCHIFF, Ms. LEE of California, Ms. KELLY of Illinois, Mr. ESPAILLAT, Mr. PETERS, Ms. WILSON of Florida, Ms. JACOBS, Mr. KILMER, Mr. DAVID SCOTT of Georgia, Mr. CARTER of Louisiana, Ms. CLARKE of New York, Ms. MOORE of Wisconsin, Ms. SCANLON, Mr. COSTA, Ms. PRESSLEY, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Ms. KAMLAGER-DOVE, Mr. MULLIN, Ms. BROWN, Mr. RUPPERSBERGER, Ms. BALINT, Mrs. WATSON COLEMAN, Ms. WILD, Ms. CROCKETT, Mr. MEEKS, Mr. TRONE, Ms. JACKSON LEE, Ms. NORTON, Mr. DELUZIO, Mr. HIGGINS of New York, Ms. McCLELLAN, Mr. DAVIS of North Carolina, Ms. JAYAPAL, Mr. GRIJALVA, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SARBANES, Mr. CASTEN, Mr. NICKEL, Mr. JACKSON of Illinois, Ms. TITUS, Ms. MCCOLLUM, Mr. GREEN of Texas, Ms. TLAIB, Ms. STEVENS, Mr. JOHNSON of Georgia, Mr. BOWMAN, Ms. ESCOBAR, Mr. CLEAVER, Mr. PAYNE, Mr. KRISHNAMOORTHY, Ms. BONAMICI, Ms. SCHOLTEN, Mr. BLUMENAUER, Mrs. CHERFILUS-McCORMICK, Mr. DAVIS of Illinois, Mr. RYAN, Mr. RASKIN, Ms. SALINAS, Mr. CROW, Mrs. NAPOLITANO, and Ms. BUDZINSKI) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify certain notice requirements, to study certain election requirements, to clarify certain election requirements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding the Vol-
5 untary Opportunities for Translations in Elections Act”
6 or the “Expanding the VOTE Act”.

7 **SEC. 2. LANGUAGE MINORITY NOTICE REQUIREMENTS.**

8 Section 203 of the Voting Rights Act of 1965 (52
9 U.S.C. 10503) is amended—

10 (1) by amending subsection (b)(3)(A) to read as
11 follows:

12 “(A) the term ‘voting materials’—

13 “(i) means registration or voting no-
14 tices, forms, instructions, assistance, or
15 other materials or information relating to
16 the electoral process, including ballots; and

17 “(ii) includes digital and printed ma-
18 terial or information produced relating to
19 the electoral process;”;

20 (2) by redesignating subsection (e) as sub-
21 section (g); and

1 (3) by inserting after subsection (d) the fol-
2 lowing new subsections:

3 “(e) RESPONSIBILITY OF STATES PROVIDING VOT-
4 ING MATERIALS IN COVERED POLITICAL SUBDIVI-
5 SIONS.—The prohibition under subsection (b) shall apply
6 to any State that provides voting materials to a political
7 subdivision subject to such prohibition.

8 “(f) NOTICE.—The Attorney General shall submit a
9 notice of the prohibition of subsection (b), and the thresh-
10 old at which such prohibition applies, to each State or po-
11 litical subdivision that is—

12 “(1) below the threshold requirement under
13 subclause (II) of subsection (b)(2)(A)(i) by not more
14 than 1,000; or

15 “(2) below the threshold requirement under
16 subclause (I) or (III) of subsection (b)(2)(A)(i) by
17 not more than 0.5 percent.”.

18 **SEC. 3. PROVISIONS RELATED TO AMERICAN INDIAN AND**
19 **ALASKA NATIVE LANGUAGES.**

20 Section 203 of the Voting Rights Act of 1965 (52
21 U.S.C. 10503), as amended by section 2, is further
22 amended—

23 (1) in subsection (b)(3)(C), by striking “1990”
24 and inserting “most recent”; and

1 (2) by striking subsection (c) and inserting the
2 following:

3 “(c) PROVISION OF VOTING MATERIALS IN THE LAN-
4 GUAGE OF A MINORITY GROUP.—

5 “(1) IN GENERAL.—Subject to paragraph (2),
6 whenever any State or political subdivision subject to
7 the prohibition of subsection (b) provides any reg-
8 istration or voting notices, forms, instructions, as-
9 sistance, or other materials or information relating
10 to the electoral process, including ballots, it shall
11 provide them in the language of the applicable mi-
12 nority group as well as in the English language.

13 “(2) EXCEPTIONS.—

14 “(A) WHEN WRITTEN AMERICAN INDIAN
15 AND ALASKA NATIVE TRANSLATIONS FOR VOT-
16 ERS ARE NOT REQUIRED.—In the case of a mi-
17 nority group that is American Indian or Alaska
18 Native, if the Tribal government of that minor-
19 ity group has notified the Attorney General that
20 the language is unwritten or the Tribal govern-
21 ment does not want a written translation, a
22 State or political subdivision subject to the pro-
23 hibition of subsection (b) shall only be required
24 to furnish that minority group, in the covered
25 language, oral instructions, assistance, trans-

1 lation of voting materials, and other informa-
2 tion relating to registration and voting.

3 “(B) OTHER MINORITY GROUPS WITH UN-
4 WRITTEN LANGUAGE.—In the case of a minor-
5 ity group that is not American Indian or Alaska
6 Native, if the language of that minority group
7 is unwritten, a State or political subdivision
8 subject to the prohibition of subsection (b) shall
9 only be required to furnish that minority group,
10 in the covered language, oral instructions, as-
11 sistance, translation of voting materials, and
12 other information relating to registration and
13 voting.

14 “(3) WRITTEN TRANSLATIONS FOR ELECTION
15 WORKERS.—Notwithstanding paragraph (2), a State
16 or political division subject to the prohibition of sub-
17 section (b) shall provide written translations of all
18 voting materials, with the consent of any applicable
19 Tribal government, to election workers to ensure
20 that the translations from English to the language
21 of a minority group are complete, accurate, and uni-
22 form.

23 “(4) TRIBAL GOVERNMENT DEFINED.—In this
24 subsection, the term ‘Tribal government’ means the
25 recognized governing body of any Indian or Alaska

1 Native Tribe, band, nation, pueblo, village, commu-
2 nity, component band, or component reservation, in-
3 dividually identified (including parenthetically) in
4 the list published most recently as of the date of en-
5 actment of the Expanding the VOTE Act pursuant
6 to section 104 of the Federally Recognized Indian
7 Tribe List Act of 1994 (25 U.S.C. 5131).”.

8 **SEC. 4. GRANTS TO JURISDICTIONS TO INCENTIVIZE THE**
9 **PROVISION OF VOTING MATERIALS IN LAN-**
10 **GUAGES NOT TRIGGERING SECTION 203 COV-**
11 **ERAGE IN APPLYING JURISDICTION.**

12 (a) AVAILABILITY OF GRANTS.—

13 (1) IN GENERAL.—The Election Assistance
14 Commission (in this section, referred to as the
15 “Commission”) shall make incentive grants under
16 subsection (b) to States and political subdivisions to
17 assist the States and political subdivisions in pro-
18 viding voting materials during an election cycle in
19 the language of a covered language minority group.

20 (2) APPLICATION REQUIRED.—In order to re-
21 ceive a grant under this section, a State or political
22 subdivision shall submit to the Commission, at such
23 time and in such form as the Commission may re-
24 quire, an application containing such information
25 and assurances as the Commission may require,

1 such as a plan for the State or political subdivision
2 to engage stakeholders with a demonstrated experi-
3 ence of serving the relevant covered language minor-
4 ity group.

5 (b) INCENTIVE GRANTS.—

6 (1) USE OF FUNDS.—The Commission shall
7 make an incentive grant under this subsection to a
8 State or political subdivision to cover the reasonable
9 costs incurred by the State or political subdivision in
10 providing voting materials in the language of a cov-
11 ered language minority group for an election cycle.

12 (2) CONTINUATION OF PROVISION OF MATE-
13 RIALS FOR GROUPS IN SUCCEEDING ELECTION CY-
14 CLES.—If a State or political subdivision receives an
15 incentive grant with respect to a covered language
16 minority group for an election cycle, the State or po-
17 litical subdivision will certify to the Commission that
18 the State or political subdivision will continue to
19 provide voting materials in the language of that cov-
20 ered language minority group for each succeeding
21 election cycle unless the population of the group dur-
22 ing the succeeding cycle has dropped by 0.5 percent
23 or more from the population of the group during the
24 first election cycle for which the State or political

1 subdivision received an incentive grant with respect
2 to the group.

3 (3) PROHIBITING MULTIPLE GRANTS FOR SAME
4 LANGUAGE MINORITY GROUP.—If a State or political
5 subdivision receives an incentive grant with respect
6 to a covered language minority group, the State or
7 subdivision may not receive another incentive grant
8 with respect to that same covered language minority
9 group.

10 (c) DEFINITIONS.—In this section—

11 (1) the term “covered language minority
12 group”—

13 (A) means, with respect to a State or polit-
14 ical subdivision, the members of a single lan-
15 guage minority who do not meet the require-
16 ments of clause (i) or (ii) of section
17 203(b)(2)(A) of the Voting Rights Act of 1965
18 (52 U.S.C. 10503(b)(2)(A)); and

19 (B) includes the language minorities de-
20 scribed in section 203(g) of such Act (52
21 U.S.C. 10503(g)) and any other language mi-
22 nority;

23 (2) the term “election cycle” means the period
24 which begins on the day after the date of a regularly
25 scheduled general election for Federal office and

1 which ends on the date of the next regularly sched-
2 uled general election for Federal office;

3 (3) the term “State” means each of the several
4 States, the District of Columbia, the Commonwealth
5 of Puerto Rico, the United States Virgin Islands,
6 American Samoa, Guam, and the Commonwealth of
7 the Northern Mariana Islands; and

8 (4) the term “voting materials” has the mean-
9 ing given under section 203(b)(3)(A) of the Voting
10 Rights Act of 1965 (52 U.S.C. 10503(b)(3)(A)).

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to carry out this section
13 \$15,000,000, to remain available until expended.

14 **SEC. 5. STUDY ON CERTAIN LANGUAGE MINORITY NOTICE**
15 **REQUIREMENTS.**

16 (a) IN GENERAL.—The Comptroller General of the
17 United States, in consultation with the Director of the
18 Census, the Attorney General, and the Election Assistance
19 Commission, shall conduct a study on the impact of—

20 (1) reducing the threshold requirement—

21 (A) under subclause (II) of section
22 203(b)(2)(A)(i) of the Voting Rights Act of
23 1965 (52 U.S.C. 10503(b)(2)(A)(i)) to 7,500
24 and 5,000, respectively; and

1 (B) under subclause (I) or (III) of section
2 203(b)(2)(A)(i) of the Voting Rights Act of
3 1965 (52 U.S.C. 10503(b)(2)(A)(i)) to 4 per-
4 cent, 3 percent, 2.5 percent, and 2 percent, re-
5 spectively; and

6 (2) expanding the definition of the term “lan-
7 guage minorities” to include native speakers of Ara-
8 bic, French and Haitian Creole, and any other lan-
9 guage that the Comptroller General determines to be
10 appropriate.

11 (b) REPORT.—Not later than 1 year after the date
12 of enactment of this Act, the Comptroller General of the
13 United States shall submit to Congress a report on the
14 findings of the study conducted under subsection (a).

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